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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JOSHUA COVELLI,

15 Defendant.

Case No. CR 11-00471

Case No. CR 11-00683

16 **UNOPPOSED *EX PARTE* APPLICATION**
17 **FOR ORDER PERMITTING JOSHUA**
18 **COVELLI TO TRAVEL TO THE**
19 **NORTHERN DISTRICT OF OHIO FOR**
20 **WORK; DECLARATION OF SHIRA**
21 **KIEVAL IN SUPPORT; [PROPOSED]**
22 **ORDER**

23 Defendant Joshua Covelli, by and through counsel, hereby applies for an order permitting
24 him to travel to the Northern District of Ohio for work purposes. The government has no
25 objection to this application.

26 According to the terms and conditions of his pretrial release in the above-captioned cases,
27 Mr. Covelli is not permitted to travel outside of the Southern District of Ohio and the Northern
28 District of California.

Mr. Covelli has an offer of employment from a Troy, Ohio-based painting company. Troy
is located in the Southern District of Ohio. However, the crew that Mr. Covelli will be joining has
an upcoming job scheduled in neighboring Auglaize County, which is located in the Northern
District of Ohio. It is anticipated that the crew may well schedule additional jobs in the Northern
District of Ohio.

Therefore, and without opposition, Mr. Covelli applies for permission to travel to the Northern District of Ohio for work purposes.

Respectfully submitted this 15th day of March, 2013.

NOLAN, ARMSTRONG & BARTON, LLP

/s/

Thomas J. Nolan
Shira Kieval
Attorneys for Defendant Joshua Covelli

DECLARATION OF SHIRA KIEVAL IN SUPPORT

I, Shira Kieval, hereby declare:

1. I am an attorney licensed to practice law before the courts of the State of California and the Northern District of California, and an associate attorney with Nolan, Armstrong & Barton, LLP. Thomas J. Nolan, the senior partner at this firm, has been appointed under the Criminal Justice Act to represent Mr. Joshua Covelli in the above-referenced cases. I have been approved by CJA to assist in the representation of Mr. Covelli in these cases.

2. On information and belief, Mr. Covelli has an offer of employment from the Troy, Ohio-based painting company. Troy, Ohio is located in the Southern District of Ohio.

3. On information and belief, Mr. Covelli will be working for a crew from the Troy, Ohio-based company run by Andrew Dunne.

4. In late January 2013, I spoke with Andrew Dunne. Mr. Dunne informed me that he runs a crew with this Troy, Ohio-based painting company. He informed me that the crew does residential and commercial jobs, that the crew accepts jobs north of Shelby County, and that the crew had two upcoming jobs scheduled north of Shelby County. He informed me that one of the

1 upcoming jobs would be located in Auglaize County. Auglaize County is in the Northern District
2 of Ohio.

3 5. On information and belief, based on a March 15, 2013 conversation with Mr.
4 Covelli's mother, the crew has not yet begun the job in Auglaize County.

5 6. On information and belief, the crew may well schedule additional jobs in the
6 Northern District of Ohio.

7 7. On March 14, 2013, I spoke with Assistant U.S. Attorney Hanley Chew. Mr. Chew
8 stated that the government has no opposition to this application.

9
10 I declare under penalty of perjury that the foregoing is true and correct except for those
11 matters stated on information and belief and as to those matters I am informed and believe them to
12 be true. Executed this 15th day of March, 2013 at Palo Alto, California.
13

14 /s/
15

16 _____
Shira Kieval
17

18 **[PROPOSED] ORDER**

19 **UPON UNOPPOSED APPLICATION, IT IS SO ORDERED.**

20
21 Mr. Covelli's pretrial release conditions are modified as follows. Mr. Covelli may travel to the
22 Northern District of Ohio for work purposes.
23

24 Dated: March ___, 2013

25 _____
HON. PAUL S. GREWAL
26 United States Magistrate Judge
27